

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

ANTWAND DESHION
HAWKINS,
Defendant-Appellant.

No. 00-1337

Filed: March 26, 2002

Before: DAUGHTREY and GILMAN, Circuit Judges;
COHN, District Judge.

ORDER

This matter now comes before the court upon the parties' joint motion to set aside the defendant's sentence pursuant to 28 U.S.C. § 2106 and to remand the matter to the district court for resentencing, and the appellant's motion to withdraw his petition for rehearing *en banc*. The government has represented that upon the vacation of the sentence and remand for resentencing it will file a motion for a downward departure pursuant to USSG § 5K1.1.

Upon consideration the court finds the motions to be well taken, and the requested relief will be granted.

IT IS SO ORDERED.

ENTERED BY ORDER OF THE COURT

/s/ Leonard Green

Clerk